

REMARKS

Claims 1-28 are pending in the application. Claims 1, 2, 4, 7, 8, 10, 13 and 16-18 have been amended. Claim 29 has been canceled without prejudice or disclaimer. Reconsideration of this application is respectfully requested.

It is noted with appreciation that the Office Action has allowed claims 21-28 and has indicated that claim 29 would be allowable if rewritten to include all the limitations of the base claim and of any intervening claims.

Base claim 1 has been amended to incorporate the language of allowable claim 29, there being no intervening claims. The change to claim 1 has necessitated a need to change steps (c) and (d) to steps (d) and (e), respectively, in dependent claims 2 and 4. Accordingly, it is submitted that independent claim 1 and its dependent claims 2-6 are now in condition to be allowed.

Independent claims 7 and 16 have been amended to incorporate the language of method claim 29 with variations to match the language used in apparatus claim 7 and article claim 16. The changes to claims 7 and 16 have necessitated a need to change third and fourth means to fourth and fifth means, respectively, in dependent claims 8, 10, 17 and 18. Accordingly, it is submitted that since claims 7 and 16 now include the language of allowable claim 29, claims 7 and 16 and their respective dependent claims 8-12 and 17-20 are now in condition to be allowed.

The Office Action rejects claims 1, 2, 4-7, 9-12 and 16-20 under 35 U.S.C 103(a) as unpatentable over U.S. Patent No. 5,247,700 to Wohl et al., hereafter Wohl, in view of U.S. Patent No. 6,018,657 to Kennedy III et al., hereafter Kennedy. This rejection is inapplicable all of these claims 1, 7 are now in condition to be allowed as discussed above.

For the reasons set forth above, it is submitted that the rejection of claims 1, 2, 4-7, 9-12 and 16-20 under 35 U.S.C. 103(a) is inapplicable and should be withdrawn.

The Office Action rejects claims 3 and 8 under 35 U.S.C 103(a) as unpatentable over Mardirossian and Kennedy in view of U.S Patent No. 6,263,218 to Kita, hereafter Kita. This rejection is inapplicable all of these claims 1, 7 are now in condition to be allowed as discussed above.

For the reasons set forth above, it is submitted that the rejection of claims 3 and 8 under 35 U.S.C. 103(a) is inapplicable and should be withdrawn.

The Office Action rejects claims 13-15 under 35 U.S.C 103(a) as unpatentable over U.S. Patent No. 5,796,338 to Mardirossian, hereafter Mardirossian, in view of Kennedy.

Claim 13 has been amended to clarify that the message, which the passive device is capable of transmitting to the active device, includes an identity of the passive device. Mardirossian does not teach that pager 29 has the capability to transmit via a wireless transmission to cell phone 3 a message, which includes an identity of the pager. In fact, Mardirossian teaches that pager 29 can transmit an alarm signal to the cell phone 3 via a wireless transmission, but does not teach that the alarm signal contains an identity of the pager.

The Office Action admits that pager 29 cannot receive data via a wireless transmission from a local service provider. The Office Action contends that Kennedy teaches a passive device that receives data via a wireless transmission from a local service provider of a communication system. This contention is traversed. Kennedy teaches three different types of messaging unit 14, namely a cell phone that supports voice service, a pager that supports data service and a hybrid that supports both voice and data service. None of these is a passive device as claimed by claim 13 since each has the capability in Kennedy's system of transmitting messages to a local service provider.

Although the opening paragraph of the rejection mentions only Mardirossian and Kennedy, the conclusion of obviousness states that it would have been obvious to provide the teaching of Mardirossian into the system of Wohl in order to enhance system performance of the cellular telephone with a pager which forwards different type of messages to either the cellular phone or the pager.

Wohl's cell phone/pager unit has a cell portion and a pager portion that operate separately for their respective cell phone and paging functions. The cell phone portion and the pager portion do not communicate with one another via wireless transmission. Therefore, Wohl's pager portion lacks a transmitter that has a transmission range that includes a nearby active device, but not a local service provider. Moreover, Wohl's pager portion lacks the ability to send a wireless transmission message to the cell phone portion that includes an identity of the pager portion and lacks, as well, a controller that controls this transmission.

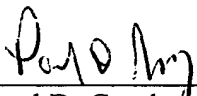
If Wohl's phone pager portion is combined with Kennedy's system, the messages are transmitted only in cellular frequency bands, which can be received and transmitted by only the cell phone portion and not the pager portion. Therefore, Wohl's pager portion is inoperative in a Wohl/Kennedy combination and, in addition to the aforementioned deficiencies, is incapable of receiving data from Kennedy's local service providers. The addition of Mardirossian's alarm feature to Wohl's cell phone/pager combination or to any of Kennedy's' messaging units does not change the deficiencies as Mardirossian's alarm feature does not supply the aforementioned deficiencies of Wohl and Kennedy, taken separately or in combination.

For the reasons set forth above, it is submitted that the rejection of claims 13-15 under 35 U.S.C. 103(a) is erroneous and should be withdrawn.

Noting that claims 21-28 are allowed, It is respectfully requested for the reasons set forth above that the rejections under 35 U.S.C. 103(a) be withdrawn, that claims 1-20 be allowed and that this application be passed to issue.

Respectfully Submitted,

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